

### THE KENTUCKY PUBLIC ADVOCACY COMMISSION



JERRY J. COX Chair Mount Vernon



JOHN M. ROSENBERG Vice-Chair Prestonsburg



MICHAEL D. BOWLING Bowling Law Office Middlesboro



DR. CRYSTAL RAE COEL
Professor
Organizational Communication
Murray State University



DARRYL W. DURHAM Weber & Rose, PSC Louisville



CHARLES E. ENGLISH, JR. English, Lucas, Priest & Owsley, LLP Bowling Green

#### DEFENDERS PROTECT THE PUBLIC, SAVE MONEY, AND IMPROVE LIVES

Over the last year, our public defenders have protected the public from wrongful prosecutions, overcharging, and excessive sentences, saved millions of dollars of taxpayer money with the hundreds of alternative community-based sentences that focused on treatment instead of very costly incarceration, and improved the lives of countless of our children and young adults living in neglectful or abusive families who face the grip of addiction or struggle with mental illness or extreme poverty.

Our primary value is the professional representation of our clients, one by one, all 154,096 of them. Defenders do this work to ensure that the challenge to the liberty of their indigent clients is done through a fair process and that the results their clients receive are reliably just.

As the 44th year of providing professional independent legal representation to our clients begins, we Public Advocacy Commissioners are proud of the value defenders provide to our cherished American system of justice.

Sincerely,

Jerry J. Cox

Chair, Public Advocacy Commission



ROBERT C. EWALD Wyatt, Tarrant and Combs Louisville



CORTNEY LOLLAR
Assistant Professor of Law
UK College of Law
Lexington



DEBRA S. MILLER
Director of Health Policy
Counsel of State Government
Lexington



LUKE MILLIGAN
Assistant Professor
Brandeis School of Law



LEWIS G. PAISLEY Stoll Keenon Ogden Lexington



MARK STAVSKY
Professor
Chase College of Law
HighInd Heights

#### THE VALUE OF PUBLIC DEFENSE:

#### PROTECTING THE PUBLIC, SAVING MONEY, IMPROVING LIVES

Prosecution, public defense, courts, and law enforcement serve vital roles ensuring the justice system works reliably and efficiently. There are substantial financial benefits to society when public defense is properly funded. Public defenders who are competent, who have manageable workloads, and who have professional independence ensure that the rights guaranteed by our Constitution are protected and ensure that no one's liberty is taken unless they are proven guilty. Public defenders lower costly incarceration rates for counties and the state by advocating for pretrial release and alternative or reduced sentences. When staffed adequately, public defenders increase efficiencies and prevent overcharging and expensive wrongful convictions. In addition to protecting the freedoms of the accused, public defense is central to our public safety.



EDWARD C. MONAHAN
Public Advocate

I am proud to bring to you this report of our work over the last year.

Edward C. Monahan Public Advocate

Edward L. Monchan

#### DPA LEADERSHIP TEAM



Department of Public Advocacy Leadership Team (from L to R): Jeff Sherr, Education and Strategic Planning Branch Manager; Jeff Edwards, Protection and Advocacy Director; Brad Holajter, Law Operations Director; Ed Monahan, Public Advocate; Damon Preston, Deputy Public Advocate; Glenda Edwards, Trial Director; B. Scott West, General Counsel; Tim Arnold, Post-Trial Director.

#### PRIORITIES FOR KENTUCKY'S RIGHT TO COUNSEL

#### FURTHER INVESTMENT IN KENTUCKY'S RIGHT TO COUNSEL WILL SAVE MONEY

The Department of Public Advocacy's 4-point plan would meet Kentucky's constitutional mandate of the right to counsel and also provide real, tangible, sustainable savings to the criminal justice system. Additional funding is needed to continue Kentucky public defenders' essential work and meet national standards for the constitutional right to counsel.

#### THE DEPARTMENT OF PUBLIC ADVOCACY'S 4-POINT PLAN

Innovative work with proper staffing and funding will result in overall cost savings to Kentucky taxpayers, and result in reliable case outcomes that will protect the safety and quality of life of citizens throughout the Commonwealth.

- 1. Reduce unnecessary cost in the criminal justice system responsibly by creating more alternative sentencing options for judges, thereby reducing the number of cases in the system.
- Provide resources to ensure that cases are timely, fully, and fairly resolved by realigning the 33 DPA trial offices to 57
  offices to improve efficiency, increasing time local conflict lawyers spend on cases, and reducing costly delays due
  to turnover of defenders by providing positions and compensation levels sufficient to attract and retain high quality
  legal professionals.
- 3. Ensure ethical workloads that allow for timely processing of cases by recognizing that legal representation of indigents accused of a crime is a necessary and required governmental expense.
- 4. Ensure full, professional independence from other parts of the state criminal justice system by converting DPA to a cabinet level agency.

#### DPA FUNDING FROM COURT FEES

COURT-ORDERED PARTIAL FEES \$1,208,297

DUI SERVICE FEES \$1,092,432

COURT COSTS \$874,282

### DPA EXPENDITURES: FOCUSED ON CLIENT SERVICES

86.6% DIRECT SERVICES TO CLIENTS
13.4% OPERATING EXPENSES



TAKING ADVANTAGE OF PRETRIAL RELEASE OPTIONS SAVES MONEY

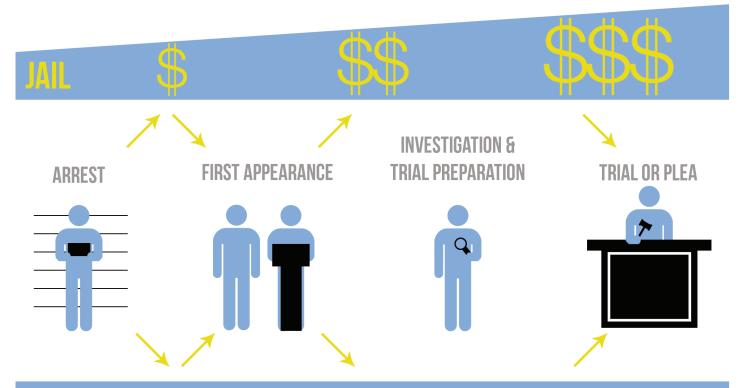
JAIL COSTS \$36.25

PER PERSON PER DAY

#### TIME BEHIND BARS - \$\$\$

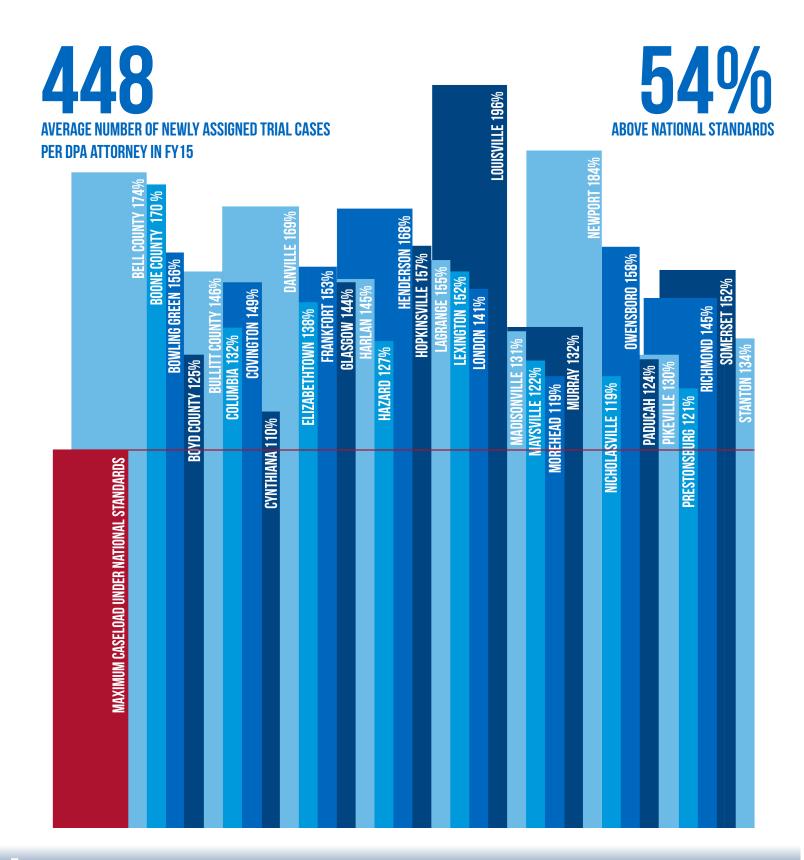
KEEPING LOW RISK DEFENDANTS OUT OF JAIL KEEPS PEOPLE CONTRIBUTING TO THE TAX BASE RATHER THAN BEING HOUSED AT THE TAXPAYER'S EXPENSE. THE ADMINISTRATIVE OFFICE OF THE COURTS HAS RELEASED STATISTICS THAT SHOW RECENT INCREASES IN PRETRIAL RELEASE OF LOW RISK DEFENDANTS HAVE NOT RESULTED IN AN INCREASE OF CRIME BY THOSE RELEASED.





**RELEASED ON BOND WITH CONDITIONS** 

# DPA CASELOADS SUBSTANTIALLY EXCEED NATIONAL STANDARDS



#### PUBLIC DEFENDERS SAVE MONEY

Michael was wrongfully charged with Possession of a Handgun by a Convicted Felon, Misdemeanor Fleeing from a Police Officer and Resisting Arrest, offenses

### MICHAEL YEARS IN FOR A CRIME HE DID Fortunately, NOT COMMIT

10 that could carry potential PRISON sentence of 10 years in prison. his public defender discovered

problem with the charge of Possession of a Handqun by a Convicted Felon. Michael was not a convicted felon. The felony charge was dismissed and Michael was released from custody. DPA Attorney Eva Hager's quick thinking and advocacy for her client at his first court appearance saved the county all the costs associated with incarceration from the time of arrest until the resolution of the case. This could have been thousands of dollars, depending on how long the case lingered pending resolution.

Michael still faced misdemeanor charges. On these, DPA Attorney Tamara Scull represented Michael after his arraignment. Police reports revealed that the police first came into contact with Michael when they received a call about a fight inside an apartment complex. This call did not involve Michael, and Michael was not involved in the fight. Upon their arrival at the scene, the police stopped Michael because he looked

"suspicious" in a "high crime area." Attorney Scull met

with Michael and his family, and learned that Michael was actually walking away from the building, where his father lived, when the police officer tried to talk

to him. When he did not respond after the officer's second attempt to talk to him. the officer drew his weapon. Frightened by the gun, Michael started to run. He caught was and arrested. Armed with evidence of Michael's

**PUBLIC DEFENDERS** PROVED HIS INNOCENCE AND HIS CASE WAS DISMISSED

unlawful stop and arrest, Attorney Scull filed a motion to suppress. After a hearing, the Court agreed with Attorney Scull and held that the officer should not have stopped Michael in the first place, and all charges were dismissed. Through focused motion practice and client-centered representation, Attorney Scull saved the county and state the cost of a District Court trial.

Public Defenders like Attorney Hager and Attorney Scull are saving Kentucky taxpayer's money every single day.



#### TRIAL DIVISION:

#### CHILDREN AND ADULTS



**GLENDA EDWARDS** Trial Division Director



RODNEY BARNES Northern Region Manager



ROGER GIBBS Eastern Region Manager



**ERIC STOVALL** Western Region Manager



RENAE TUCK Central Region Manager



Capital Trials Manager Bluegrass Region Manager

DPA's 33 trial offices across the Commonwealth provide representation to indigent clients in adult criminal, juvenile, civil contempt, and involuntary commitment cases. Kentucky defender teams improve lives by insisting clients be treated fairly while guarding all constitutional protections for each client we serve. DPA attorneys, investigators, alternative sentencing specialists, and administrative professionals all have a vital role to play as part of the mission of DPA.

# 9,380 CONFLICT CASES

**FUNDING PER CONFLICT CASE** 



CASES HANDLED BY OTHER **DPA OFFICES** 

MAINTAINED BY LOCAL OFFICE

AFTER THE CLIENT WAIVED CONFLICT



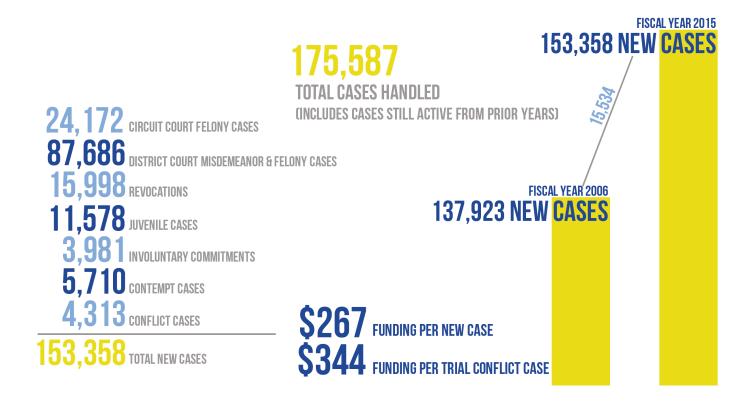




TOTAL CASES CONTRACTED TO OUTSIDE COUNSEL

FELONY, MISDEMEANOR, & JUVENILE CONFLICTS

#### PUBLIC VALUE OF TRIAL DIVISION REPRESENTATION



#### REPRESENTATION OF CAPITAL CLIENTS,

#### BY THE NUMBERS

#### TRIAL DIVISION

BETWEEN JULY 1, 2014 - JUNE 30, 2015:

DEATH ELIGIBLE CASES HANDLED

19 DEATH NOTICED CLIENTS CONTINUING REPRESENTATION FROM PREVIOUS YEAR
10 CASES RESOLVED BY NON-DEATH GUILTY PLEAS BY CAPITAL TRIAL BRANCH
3 TRIALS WHERE DEATH WAS A POSSIBLE PUNISHMENT

**ZERO CLIENTS RECEIVED THE DEATH PENALTY** 

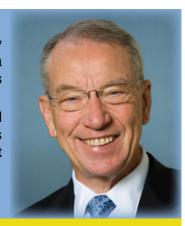
#### BROAD-BASED SUPPORT FOR THE RIGHT TO COUNSEL

#### SENATOR CHUCK GRASSLEY OF IOWA, CHAIR SENATE JUDICIARY COMMITTEE

"When misdemeanor defendants aren't given counsel, no one can challenge the legality of a traffic stop or to make the prosecution prove every element of an offense beyond a reasonable doubt. So innocent people may be going to jail. In locations where lawyers are provided at every stage of the process, about 25% of all cases are dismissed.

These constitutional violations cause serious repercussions. People who are convicted of misdemeanors, whether they received legal representation or not, may have problems obtaining a job for the rest of their lives. **That hurts them. It hurts the economy. It hurts all of us.**"

"Grassley Statement at a Judiciary Committee Hearing on Protecting the Constitutional Right to Counsel for Indigents Charged with Misdemeanors." Judiciary Committee Hearing. (May 13, 2015).





#### IDAHO GOVERNOR BUTCH OTTER

"I hope you will consider it equally important to continue our work toward addressing the very real challenge we face in our public defense system. The courts have made it clear that our current method of providing legal counsel for indigent criminal defendants does not pass constitutional muster. This is a priority for our counties so it also must be a priority for us. If we value the ideals embodied in the Fourth, Fifth, Sixth, and Eighth amendments to the U.S. Constitution, then it is undeniably our responsibility to take the phrase 'due process of law' as seriously as the Framers intended."

"State of the State and Budget Address." (Jan. 12 2013). Speech.

#### CHARLES G. KOCH, KOCH INDUSTRIES

"All of my life, I have supported and championed the Bill of Rights, which is the bedrock upon which our free society was built. We are supportive of...efforts to make the Sixth Amendment's guarantee of an individual's right to counsel a reality for all Americans, especially those who are the most disadvantaged in our society."

"Koch Industries Gives Grant to NACDL "to address the Nation's Profound Indigent Defense Crisis"." Washington Post. The Washington Post (Oct 21, 2014).





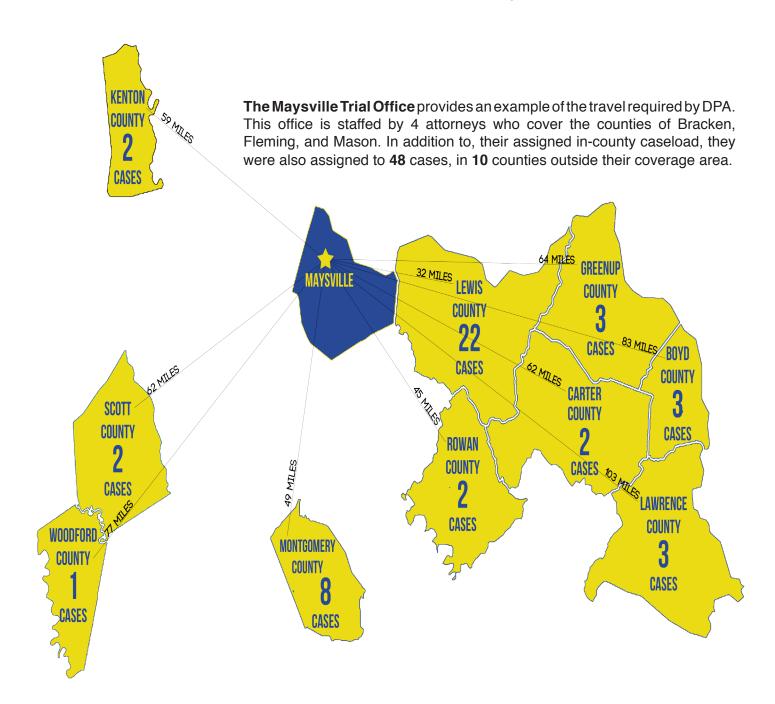
## DAVID CARROLL, EXECUTIVE DIRECTOR SIXTH AMENDMENT CENTER

"The reason more and more conservatives are supporting the right to counsel is because our criminal justice systems have evolved without the necessary checks and balances that competent defense lawyers bring to guard against tyranny. Conservatives may believe in smaller government, but they also believe in the Bill of Rights."

"Gideon's Despair," The Marshall Project (Jan. 2, 2015).

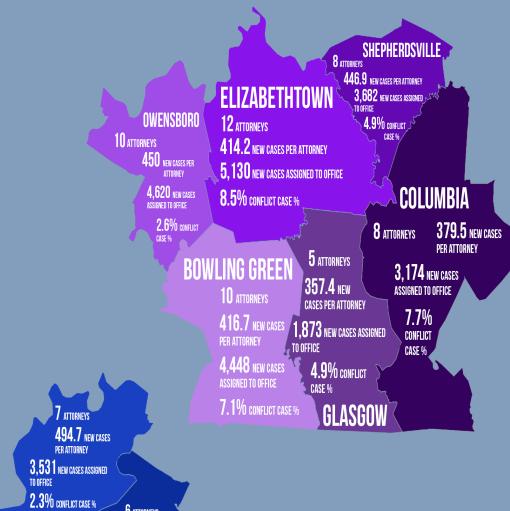
### 199,068 MILES IN 3,618 HOURS

In FY15, public defenders covered **1,194** cases in areas other than those normally assigned to them when an other office could not handle a case due to a conflict of interest or an attorney shortage. If the attorneys in each case traveled just two times for each case, DPA attorneys spent **3,618** hours (**483** work days) traveling **199,068** miles in a car just to get to a distant county, usually to handle a single case. When factoring in client visits, court appearances, and witness interviews, the number of trips to handle these cases is often much higher.



# CASELOADS BY REGION

# **CENTRAL REGION**



**HENDERSON** 

6 ATTORNEYS 399.2 NEW CASES PER ATTORNEY

2.488 NEW CASES ASSIGNED TO OFFICE

4.6% CONFLICT CASE %

# MADISONVILLE WESTERN REGION

9 ATTORNEYS MURRAY

3.624 NEW CASES ASSIGNED TO OFFICE

3.8% CONFLICT CASE %

HOPKINSVILLE 14 ATTORNEYS

405 NEW CASES PER ATTORNEY

5.827 NEW CASES ASSIGNED TO OFFICE

13.5% CONFLICT CASE %

#### LOUISVILLE **66** ATTORNEYS **563.6** NEW CASES PER ATTORNEY 37,278 NEW CASES ASSIGNED TO OFFICE 0.2% CONFLICT CASE %

F THE LOUISVILLE-JEFFERSON COUNTY PUBLIC DEFENDER CORPORATION IS A IN ALL STATE COURTS AT EVERY LEVEL, AS WELL AS APPELLATE AND POST-CONVICTION ADVOCACY IN BOTH THE STATE AND FEDERAL COURTS

HTTP://WWW.LOUISVILLEMETROPUBLICDEFENDER.COM

**5** ATTORNEYS

#### 5 ATTORNEYS 321.2 **NEW CASES** 441.5 NEW CASES PER ATTORNEY PER ATTORNEY **NEW CASES ASSIGNED TO** OFFICE 7.9% CONFLICT CASE CYNTHIANA 345.6 NEW CASES PER ATTORNEY 1,806 NEW CASES ASSIGNED TO OFFICE 4.8% CONFLICT CASE % NICHOLASVILLE **RICHMOND**

7 ATTORNEYS

2.951

11 ATTORNEYS

STANTON DANVILLE' **ATTORNEY** 5.053 **NEW CASES** ASSIGNED TO 9.3% CONFLICT CASE % 9 ATTORNEYS 422.3 NEW CASES PER ATTORNEY 3.883 NEW CASES ASSIGNED TO 5.9% conflict case %

**SOMERSET** 

**BLUEGRASS REGION** 

BURLINGTON 11 ATTORNEYS LAGRANGE 2,672 NEW CASES ASSIGNED TO OFFICE 1.0% CONFLICT CASE % TO OFFICE FRANKFORT 402.1 **NEW CASES PER ATTORNEY NEW CASES ASSIGNED TO OFFICE** 8.2% CONFLICT CASE %

**10** ATTORNEYS **422.2** NEW CASES PER ATTORNEY 4.436 NEW CASES ASSIGNED TO OFFICE 6.3% CONFLICT CASE % COVINGTON

# NORTHERN REGION

**NEWPORT** 6 ATTORNEYS 470.7 NEW CASES PER ATTORNEY 2.956 NEW CASES ASSIGNED TO OFFICE 6.4% CONFLICT CASE %

485.1 NEW CASES PER ATTORNEY 5.538 NEW CASES ASSIGNED 2 5.3% CONFLICT 446.9 NEW CASES PER ATTORNEY 3,699 NEW CASES ASSIGNED

5.4% conflict case %

## **MAYSVILLE**

**CATLETTSBURG** 381 NEW CASES PER ATTORNEY 1,647NEW CASES 368.5 NEW CASES PER ATTORNEY ASSIGNED TO OFFICE 8.8% CONFLICT 3.980 NEW CASES CASE %

22 ATTORNEYS 490.3 NEW CASES PER ATTORNEY 10,983 NEW CASES ASSIGNED TO OFFICE 9.0% CONFLICT CASE % LEXINGTON

11.9%

#### MOREHEAD 10 ATTORNEYS

361.9 NEW CASES PER ATTORNEY 3,769 NEW CASES ASSIGNED TO OFFICE 6.8% conflict case %

**PRESTONSBURG** 383.5 NEW CASES PER ATTORNEY

3,271 NEW CASES **PIKEVILLE** ASSIGNED TO OFFICE 10.3% 445.0 NEW CASES PER ATTORN 2,286 NEW CASES ASSIG

2.9% CONFLICT CASE

10 ATTORNEYS LONDON NEW CASES PER ATTORNEY

4,288 NEW CASES ASSIGNED TO OFFICE

**12.4**%

HARLAN 4 ATTORNEYS 421.0 NEW CASES PER ATTORNEY

1.741 NEW CASES ASSIGNED TO OFFICE 5.9% CONFLICT CASE %

#### **PINEVILLE**

**504.5** NEW CASES PER ATTORNEY 2,050 NEW CASES ASSIGNED TO OFFICE 10.3% CONFLICT CASE %

# **EASTERN REGION**

#### POST-TRIAL DIVISION:

#### CORRECTING INJUSTICE



TIM ARNOLD
Post-Trial Division Director
JPDB Manager



KATHLEEN SCHMIDT APPEALS BRANCH MANAGER



AMY ROBINSON STAPLES POST-CONVICTION BRANCH MANAGER

Liberty and justice for all, especially the wrongly convicted: America is about fairness and freedom. If you have been wronged, American values require that you have the right to prove the mistake and have it corrected. Some fear, in our complex society that we cannot reconcile fairness in process, while protecting liberty as the process undermines finality. However, many cases in our system require correction after conviction. The Post-Trial Division is there for those people who have been treated unfairly by the justice system.

The Post-Trial Division advances fair process and liberty: In Kentucky's criminal justice system, DPA's Post-Trial Division serves the critical function of identifying and seeking the correction of mistakes that affect someone's life or liberty. Post-Trial Division attorneys will be there to provide important representation after the completion of a trial case, whether it is handling appeals as guaranteed by our state constitution, litigating post-disposition challenges for juvenile clients on issues related to the fact, duration or conditions of confinement, representing adult inmates in post-conviction challenges to their convictions, or representing persons who have been wrongly accused to obtain exonerations.



Kentucky Innocence Project Supervisor



M. BROOKE BUCHANAN Post-Conviction Supervisor Frankfort



MARGARET IVIE
Post-Conviction Supervisor
LaGrange



SAM POTTER
Appeals Supervisor



STEVEN BUCK Appeals Supervisor

#### PUBLIC VALUE OF POST-TRIAL REPRESENTATION

The Post-Trial Division received a total of 738 new cases in FY15

- The Appeals Branch filed 292 original briefs and orally argued 13 cases in the Supreme Court of Kentucky and the Kentucky Court of Appeals.
- The Juvenile Post-Disposition Branch was assigned 100 new clients on appeal, or in a post-disposition or sentencing action.
- The Post-Conviction Branch opened 139 new post-conviction cases in state or federal court, all of which
  involved claims of wrongful conviction or an inappropriate sentence. The branch also represented 34 capital
  clients.
- The Kentucky Innocence Project represented 6 individuals in court cases claiming innocence, assisted law students in investigating 24 other possible claims of innocence, and reviewed 173 innocence cases.

#### JUVENILE POST DISPOSITION BRANCH

#### PROTECTING OUR MOST VULNERABLE CITIZENS

Sequoia spent a large part of her childhood in foster care bouncing from placement to placement. Her troubled upbringing did not dampen her bright smile and outgoing personality. At sixteen she met an older man and she ran away from her foster home. One day they entered a supermarket and robbed it. Sequoia was charged with complicity to robbery in the first degree and was transferred from juvenile court to circuit court as a youthful offender under the automatic transfer statute. It was her first brush with the law. Sequoia pled guilty in circuit court and was remanded to the custody of the Department of Juvenile Justice (DJJ). Sequoia was placed at Morehead Youth Development Center, a staff secure girls facility

with DJJ. There she became involved with the greyhound program and trained two retired racing dogs so they could be adopted. She received awards for resident of the week and resident of the month. After a continued 18 year old probation hearing to allow her time to complete the program at Morehead and to step down to a lower level facility, the circuit court probated Seguoia rather than transferring her to prison. Sequoia left DJJ custody with no family support, but through the hard work of JPDB, community resources were identified and she was linked with a place to live and employment opportunities. Today, Sequoia is an adult member of our community with a brighter future ahead of her.



### REPRESENTATION OF CAPITAL CLIENTS,

BY THE NUMBERS

#### POST TRIAL DIVISION

**AS OF JULY 2015:** 

PERSONS ON DEATH ROW, SERVING 35 SENTENCES

#### SINCE JULY 2014:

GRANTED RELIEF FROM
SENTENCE OF DEATH - FEDERAL

2 SENTENCES FINALLY VACATED - STATE

PENDING IN THE KENTUCKY
SUPREME COURT

#### **ALTERNATIVE SENTENCING WORKERS:**

#### HELPING CLIENTS OBTAIN TREATMENT



KITA CLEMENT
Alternative Sentencing Worker
Program Coordinator

The Public Value of the DPA Alternative Sentencing Worker Program: advancing public safety and saving counties and state incarceration cost

DPA Alternative Sentencing Workers (ASW) provide a vital service to the public. They work with clients and develop defense generated, community based alternative sentencing plans that assure

judges and prosecutors that public safety is accounted for and actual rehabilitation is in place. This offsets very expensive jail or prison costs. ASWs help motivate clients into participating actively in treatment and rehabilitation. This is critical because while court mandates can get individuals to attend treatment sessions, what individuals actually get from treatment depends on their willing interest in and acceptance of new information. Using motivational interviewing, ASWs help encourage that

willingness, improving the odds that treatment will have beneficial effects.

### The DPA Alternative Sentencing Program uses evidence-based practices

To enhance the value of the services and to increase the likely success of the program, DPA Alternative Sentencing Workers use motivational interviewing. It has a lengthy history in the substance abuse field (Lundahl & Burke, 2009; Miller & Rollnick, 1991; Miler & Rollnick, 2002). It is used widely for substance abuse clients who are referred by the criminal justice system (Ginsburg, Mann, Rotgers, & Weekes, 2002). More specifically, it has been shown to increase engagement with treatment and staying in treatment (Carroll, Ball, Nich, Martino, Frankforter, Farentino, et al., 2006).



#### DPA ALTERNATIVE SENTENCING WORKERS HAVE ASSISTED ON

1,235 ADULT CASES 70 JUVENILE CASES

THE AVERAGE CASELOAD PER ALTERNATIVE SENTENCING WORKER IS: **90.7** CASES **123** CLIENTS OBTAINED HEALTH INSURANCE WITH ASSISTANCE FROM A DPA ASW OVER: **1000** CLIENTS SERVED IN FY15

#### DPA HEROIN CASES

Most heroin cases involve possession, not trafficking.

# of Cases Charge

2,524 Possession, 1st Degree, and related offenses

715 Trafficking, 1st Degree (Less than 2 Grams), and related offenses\*

392 Trafficking, 1st Degree (2 Grams or More), and related offenses

15 Importing Heroin (effective March 25, 2015)

#### INVOLUNTARY COMMITMENT CASES

In addition to criminal defendants, DPA attorneys represent individuals whose liberty is at stake because of a petition to commit them involuntarily to a treatment facility, due to mental illness, or drug or alcohol addiction.

The majority of these cases are handled by 8 offices.

**TOTAL CASES: 3,981** 

Louisville	1,685 cases
Hopkinsville	1,353 cases
Covington	270 cases
Lexington	248 cases
<b>Boone County</b>	216 cases
Hazard	151 cases
Elizabethtown	29 cases
Newport	26 cases

### DPA DRIVING UNDER THE INFLUENCE CASES

Most clients charged with DUI have no prior DUIs. Only about 1 out of 4 are charged with a second or greater offense. 9,409 TOTAL Driving Under the Influence Charges

# of Cases	Charge	
6,916	DUI, 1st Offense	74%
1,712	DUI, 2nd Offense	18%
533	DUI, 3rd Offense	6%
153	DUI 4th Offense	2%





<sup>\*</sup> Individuals in this class are "peddlers" and are commonly understood to be heroin users who are selling or transferring small amounts of heroin to support their own habit.

#### PUBLIC DEFENDERS IMPROVE LIVES

Suffering from untreated mental health issues and drug addiction, "Alyssa" was in custody at the Fayette County Detention Center. Alyssa was then in her early 30's and the single mother of two children. What Alyssa desperately needed was treatment, but without a helping hand it seemed far more likely that her fate was to be revoked and sentenced to prison for violating her probation.

Alyssa's history is one of trauma, having been raped in college. She never received mental health or counseling services, and was unable to heal mentally from her attack. Her mental health issues went hand-in-hand with her history of substance abuse, which had never been successfully treated or addressed. Without proper intervention, Alyssa's chances of getting healthy were slim. While she welcomed the idea of treatment, Alyssa did not have the means or resources to locate appropriate treatment.

Alyssa's DPA Attorney, Christopher Tracy, recognized that Alyssa was struggling and referred her case to the newly hired DPA Alternative Sentencing Worker (ASW), Anthony

### THANKS TO THE TIRELESS EFFORTS OF THE ASW, ALYSSA'S FUTURE IS to succeed without BRIGHT.

Tanner. Anthony met with Alyssa at the iail, and identified factors that would make it difficult for Alvssa treatment. Armed with information

about Alyssa and her history, Mr. Tanner explored and coordinated treatment service options. Using cultivated relationships in the treatment community, Mr. Tanner was notified when a long-term treatment bed was available for Alyssa. Once treatment was secured, Mr. Tanner was able to work with the Probation Officer and

the Judge's office to have Alyssa released to the treatment center that same day. Instead of revoking probation and having Alyssa serve her sentence as a state prisoner, Hon. Kimberly Nell Bunnell followed the Alternative Sentencing Plan presented DPA, ordering Alyssa released to the treatment center to receive the treatment she desperately needs to combat her addiction. Recognizing that the battle against addiction may be a long one, Mr. Tanner remains

in communication with Alyssa provide encouragement and support.

As of July, Alyssa completed a majority of the groups and classes that the treatment

WITHOUT PROPER INTERVENTION. ALYSSA'S CHANCES OF GETTING HEALTHY WERE SI TM

center offers, and was looking for employment. She is being patient and not taking the first job that comes along, by using all available resources to find a "good" job. After working and paying rent for four weeks, Alyssa will be eligible for the independent living portion of the program, where she will be able to have both of her children with her full time, which she looks forward to greatly. Thanks to the tireless efforts of Mr. Tanner and Alyssa's willingness to accept treatment, Alyssa's future is bright.

By addressing the underlying issues that lead to criminal conduct, ASW's improve the lives of clients, their friends. and family. In turn, the community benefits from the dedication and creative problem solving of Alternative Sentencing Workers.





#### PROTECTION AND ADVOCACY

#### PROTECTING AND PROMOTING THE RIGHTS OF KENTUCKIANS WITH DISABILITIES



PROTECTION AND ADVOCACY LEADERS

Protection and Advocacy (P&A) is staffed with professional advocates and attorneys who advocate working together with people who have disabilities to promote and protect their legal rights. (See P&A's Annual Report located at http://www.kypa.net/). On July 31, 2014, Jeff Edwards took over as Director of P&A, following the retirement of Marsha Hockensmith. Marsha served the Commonwealth of Kentucky for 28 years, twenty years with P&A, serving the last six years as Director. During her time with P&A, Marsha worked tirelessly to protect and promote the rights of Kentuckians with disabilities.

#### **Improvements in FY15:**

P&A and the Cabinet for Health and Family Services (CHFS) signed an Interim Settlement Agreement (ISA) that will provide much needed community supports and services to eligible individuals living in Personal Care Homes (PCH) or at risk of living in a PCH. Kentuckians living in a PCH do not require the intensive medical care provided by nursing facilities, but

do require care beyond room and board. The majority of those living in PCHs receive state financial assistance to supplement federal dollars to enable them to live outside of a higher cost facility. For the first time in Kentucky, persons with a mental illness now have a choice to live and receive services in the community due to the ISA changing the way community based services are delivered. The Kentucky Court of Appeals' *CHFS v. Bratcher* affirmed the Franklin Circuit Court's ruling that persons with developmental disabilities who have IQs higher than 70 can qualify for a Support of Community Living (SCL) home and community based waiver. SCL provides an array of services like day programs and respite which help people with intellectual and developmental disabilities avoid institutionalization, so they may live in the community.

# 2,195 PERSONS WITH DISABILITIES ASSISTED 598 CLIENTS REPRESENTED



PAIMI ADVISORY COUNCIL

The Protection & Advocacy for Individuals with Mental Illness (PAIMI) Advisory Council and P&A were honored to participate in the 50th Anniversary of the 1964 Civil Rights March. Participating in the march provided an opportunity for P&A to recognize Civil Rights leaders and activists whose courage and perseverance not only paved the way to ending segregation in the state and nationally, but lead to the passage of laws making it illegal to discriminate against other individuals who have fought hard to have their rights protected.

# MONITORED A TOTAL OF 25 FACILITIES OVER 228 CHILDREN AND YOUTH INTERVIEWED.

A committee of members of the Protection & Advocacy on Individuals with Developmental Disabilities (PADD) Advisory Board submitted an application to the Kentucky Historical Society and it was approved for a historical marker to honor and remember the many Kentuckians who lived and died at the Frankfort State Hospital and School, formerly the Institute for Feeble-Minded Children and their place in history. PADD received generous donations from individuals and groups and also participated in several fund raising activities to raise \$2500, the cost of the marker.



PADD ADVISORY BOARD

#### FISCAL YEAR 2015 DPA CASE ASSIGNMENTS BY COUNTY

COUNTY	FY 2015 TOTALS	Circuit Cas	Court es	urt Misdemeanor Cases		District Court Felony Cases		J	Juvenile Cases		Revoca Case		Contempt Cases		Mental Health Cases		
Adair	434	100	23%	167	38%	66	15%	3	39	9%	60	14%	2	0%	0	0%	
Allen	353	98	28%	125	35%	79	22%	2	20	6%	27	8%	4	1%	0	0%	
Anderson	515	108	21%	120	23%	126	24%	2	29	6%	98	19%	34	7%	0	0%	
Ballard	281	80	28%	91	32%	58	21%	2	23	8%	23	8%	6	2%	0	0%	
Barren	892	323	36%	297	33%	112	13%	9	98	11%	45	5%	17	2%	0	0%	
Bath	391	62	16%	158	40%	57	15%	1	15	4%	54	14%	45	12%	0	0%	
Bell	2,072	418	20%	962	46%	579	28%	9	91	4%	15	1%	7	0%	0	0%	
Boone	3,332	588	18%	830	25%	960	29%		13	6%	520	16%	5	0%	216	6%	
Bourbon	456	104	23%	127	28%	154	34%	2	21	5%	45	10%	5	1%	0	0%	
Boyd	1,536	291	19%	543	35%	379	25%		38	6%	213	14%	22	1%	0	0%	
Boyle	760	177	23%	139	18%	252	33%		17	6%	46	6%	99	13%	0	0%	
Bracken	141	39	28%	64	45%	22	16%		5	4%	9	6%	2	1%	0	0%	
Breathitt	398	70	18%	226	57%	72	18%		24	6%	5	1%	1	0%	0	0%	
Breckinridge	363	97	27%	78	21%	64	18%		13	12%	69	19%	12	3%	0	0%	
Bullitt	2,231	296	13%	759	34%	572	26%		39	6%	270	12%	195	9%	0	0%	
Butler	340	102	30%	76	22%	49	14%		59	17%	47	14%	7	2%	0	0%	
Caldwell	433	103	24%	117	27%	117	27%		23	5%	48	11%	25	6%	0	0%	
Calloway	928	207	22%	323	35%	242	26%		11	4%	109	12%	6	1%	0	0%	
Campbell	3,031	880	29%	553	18%	969	32%		39	8%	320	11%	44	1%	26	1%	
Carlisle	95	18	19%	38	40%	22	23%		14	15%	2	2%	1	1%	0	0%	
Carroll	796	161	20%	237	30%	175	22%		20	3%	178	22%	25	3%	0	0%	
Carter	1,193	163	14%	396	33%	144	12%		52	5%	241	20%	187	16%	0	0%	
Casey	347	86	25%	102	29%	87	25%		29	8%	41	12%	2	1%	0	0%	
Christian Clark	4,162	545	13% 9%	1,046 722	25% 46%	750	18% 31%		72 99	2% 6%	108	3% 1%	288 107	7% 7%	1,353 0	33%	
	1,586 901	138 157	17%	366	41%	497 319	35%		39 39	4%	23	2%	0	0%	0	0%	
Clay	441	78	18%	166	38%	139	32%		6	4% 1%	52	12%	0	0%	0	0%	
Crittenden	218	61	28%	88	40%	45	21%		12	6%	2	1%	10	5%	0	0%	
Cumberland	219	47	21%	84	38%	42	19%		23	11%	21	10%	2	1%	0	0%	
Daviess	3,825	665	17%	1,285	34%	846	22%		36	11%	227	6%	365	10%	1	0%	
Edmonson	279	129	46%	57	20%	49	18%		10	4%	17	6%	17	6%	0	0%	
Elliott	151	38	25%	50	33%	16	11%		11	7%	14	9%	22	15%	0	0%	
Estill	637	140	22%	281	44%	135	21%		20	3%	43	7%	18	3%	0	0%	
Fayette	10,977	1,163	11%	5,485	50%	2,594	24%		55	5%	831	8%	100	1%	249	2%	
Fleming	486	48	10%	233	48%	71	15%	2	25	5%	43	9%	66	14%	0	0%	
Floyd	1,734	213	12%	828	48%	343	20%	4	10	2%	252	15%	58	3%	0	0%	
Franklin	1,564	286	18%	339	22%	368	24%	20	09	13%	133	9%	229	15%	0	0%	
Fulton	352	77	22%	143	41%	92	26%	2	24	7%	13	4%	3	1%	0	0%	
Gallatin	304	64	21%	101	33%	70	23%	3	34	11%	34	11%	1	0%	0	0%	
Garrard	370	63	17%	111	30%	102	28%	3	33	9%	47	13%	14	4%	0	0%	
Grant	836	175	21%	257	31%	181	22%	4	18	6%	165	20%	10	1%	0	0%	
Graves	1,896	247	13%	813	43%	539	28%	7	72	4%	94	5%	131	7%	0	0%	
Grayson	513	113	22%	169	33%	117	23%	4	15	9%	65	13%	4	1%	0	0%	
Green	233	44	19%	73	31%	45	19%		14	6%	46	20%	11	5%	0	0%	
Greenup	494	135	27%	121	24%	123	25%		19	4%	90	18%	6	1%	0	0%	
Hancock	148	49	33%	34	23%	31	21%		10	7%	23	16%	1	1%	0	0%	
Hardin	3,332	457	14%	1,140	34%	662	20%		50	5%	610	18%	284	9%	29	1%	
Harlan	1,513	243	16%	781	52%	263	17%		57	4%	120	8%	39	3%	0	0%	
Harrison	705	111	16%	248	35%	174	25%		27	4%	69	10%	76	11%	0	0%	
Hart	603	160	27%	210	35%	172	29%		12	7%	19	3%	0	0%	0	0%	
Henderson	2,385	384	16%	928	39%	525	22%		19	9%	80	3%	249	10%	0	0%	
Henry	452	75	17%	143	32%	106	23%		34	8%	94	21%	0	0%	0	0%	
Hickman	165	55	33%	55	33%	44	27%		6	4%	4	2%	1	1%	0	0%	
Hopkins	1,721	209	12%	694	40%	527	31%		39	5%	169	10%	33	2%	0	0%	
Jackson	296	105	35%	98	33%	62	21%		5	2%	26	9%	0 *	0%	1 00	0%	
Jefferson *	37,278	4,827	13%	13,438	36%	8,304	22%		647	12%	4,377	12%		40/	1,685		
Jessamine	1,487 685	232 196	16% 29%	502 254	34%	310 112	21% 16%		01 l7	14% 2%	180 85	12% 12%	62 21	4% 3%	0	0% 0%	
Johnson Kenton	4,363	848	19%	694	37% 16%	1,183	27%		94	2% 4%	757	17%	417	10%	270	6%	
Knott	4,363	57	19%	243	52%	86	18%		94 36	4% 8%	23	5%	26	6%	0	0%	
Knott	1,029	196	19%	356	35%	363	35%		56 54	6%	46	5% 4%	4	0%	0	0%	
KIIOX	1,029	130	15/0	330	33%	303	JJ/0		J- <del>1</del>	U/0	40	470	4	0%	U	U/0	

<sup>\*</sup> Jefferson County data is collected by the Jefferson County Metro Public Defender's Office. Contempt cases are not separately counted.

### FISCAL YEAR 2015 DPA CASE ASSIGNMENTS BY COUNTY

Larree	COUNTY	FY 2015 TOTALS	Circuit Court Cases		Misdemeanor Cases		District Court Felony Cases			Juvenile Cases		Revocation Cases		Contempt Cases		Mental Health Cases		
Lever	Larue	391	70	18%	136	35%	84	21%	ı	27	7%	65	17%	9	2%		0	0%
Leck	Laurel	1,513	301	20%	392	26%	533	35%	г	178	12%	102	7%	7	0%	Т	0	0%
Lesther 815 210 26% 319 39% 166 30% 6 3% 4 2% 1 0 0% 0 0% 16 0		_							ı									
Letcher   S15									L									
Lewis									г									
Lincoln   615									L							L	_	
Livingston   206		_							г							۰		
Logan   391																	_	
No.   Nation   1.0   1						_			г							г		
Magacffin   393	_															۰		
Marshall		3,167	581	18%	1,184	37%	884	28%	г	142	4%	223	7%	153	5%	г	0	0%
Marshall         779         228         29%         265         34%         178         23%         38         5%         58         7%         12         2%         0         0%           Martin         508         106         21%         159         31%         147         28%         39         8%         31         6%         40         9%         0         0%           McCracken         2,310         655         28%         716         31%         547         24%         143         6%         42         2%         206         9%         0         0%           McCreary         466         130         28%         79         17%         180         39%         51         11%         22         35         2         0         0%           McLean         127         23%         148         26%         66         6%         97         17%         31         18         0         0%           Merice         174         24         144         15         26%         15         33%         38         225         17%         30         18         20         17%         31         4% <th< th=""><th>Magoffin</th><th>393</th><th>24</th><th>6%</th><th>227</th><th>58%</th><th>98</th><th>25%</th><th></th><th>1</th><th>0%</th><th>8</th><th>2%</th><th>35</th><th>9%</th><th></th><th>0</th><th>0%</th></th<>	Magoffin	393	24	6%	227	58%	98	25%		1	0%	8	2%	35	9%		0	0%
Martin	Marion	465	108	23%	166	36%	81	17%	г	20	4%	69	15%	21	5%	I	0	0%
Masion   977		_																
McCracken   2,310   656   28%   716   31%   547   24%   143   6%   42   2%   206   9%   0 0 0%   McCracrary   466   130   28%   79   77%   180   39%   51   11%   23   5%   2 0%   1 0 0%   1	Martin																_	
McLean   127   39   31%   16   13%   253   42%   14   11%   23   5%   2   0%   1   0%																		
Metade																	_	
Meanifee		_																
Menifee   174																		
Mercare	21212121212																	
Metcalfe																		
Montgomery   1,362   273   20%   401   29%   197   14%   79   6%   204   15%   208   15%   0   0%   Morgan   558   62   11%   259   46%   52   9%   16   3%   53   9%   116   21%   0   0%   0%   0%   0%   0%   0%   0									г							г		
Morgan         558         62         11%         259         46%         52         9%         16         3%         53         9%         116         21%         0         0%           Mulnlenberg         634         149         24%         116         18%         250         39%         30         5%         86         14%         3         0%         0         0%           Nicholas         2222         55         25%         69         31%         75         34%         1         0%         14         6%         8         4%         0         0%           Olio         574         155         27%         161         28%         152         26%         35         6%         69         12%         2         0%         0         0%           Olido         574         155         27%         161         28%         152         26%         35         6%         91         22%         0%         0         0%           Olidham         652         48         152         14         22%         14         14         2%         20%         14         22%         0         0%	Monroe	223	55	25%	68	30%	75	34%		19	9%	4	2%	2	1%		0	0%
Mulhienberg	Montgomery	1,362	273	20%	401	29%	197	14%	г	79	6%	204	15%	208	15%	Т	0	0%
Nelson	Morgan	558	62	11%	259	46%	52	9%		16	3%	53	9%	116	21%		0	0%
Nicholas   122   55   25%   69   31%   75   34%   1   0%   14   6%   8   4%   0   0%   0%   0%   0%   0%   0%																		
Ohio         574         155         27%         161         28%         152         26%         35         6%         69         12%         2         0%         0         0%           Oldham         652         98         15%         186         29%         144         22%         87         13%         135         21%         2         0         0         0%           Own         264         55         21%         69         26%         75         28%         12         5%         49         19%         4         2%         0         0%           Owsley         188         32         17%         104         55%         42         22%         6         3%         3         2%         1         1%         0         0%           Perry         2,291         214         9%         1,303         57%         319         14%         65         3%         107         5%         132         6%         151         1%         0         0%           Perry         2,291         214         9%         1,312         88         296         13%         44         2%         134         6%																		
Oldham         652         98         15%         186         29%         144         22%         87         13%         135         21%         2         0%         0         0%           Owen         264         55         21%         69         26%         75         28%         12         5%         49         19%         4         2%         0         0%           Owsley         188         32         17%         104         55%         42         22%         6         3%         3         2%         1         1%         0         0%           Perry         2,291         214         9%         1,303         57%         319         14%         65         3%         107         5%         132         6%         151         7%           Pike         2,254         228         10%         1,318         58%         296         13%         44         2%         134         6%         234         10%         0         %           Powell         86         179         21%         440         51%         11         22%         13         25%         18         35%         3         6%									L							L		
Owen         264         55         21%         69         26%         75         28%         12         5%         49         19%         4         2%         0         0%           Owsley         188         32         17%         104         55%         42         22%         6         3%         3         2%         1         1%         0         0%           Pendleton         279         79         28%         59         21%         65         23%         23         8%         17         6%         36         13%         0         0%           Perry         2,291         214         9%         1,303         57%         319         14%         65         3%         107         5%         132         6%         151         7%           Pike         2,254         228         10%         1,318         58%         296         13%         44         2%         132         6%         151         17         20         40         5%         35         4%         0         0%         0%           Pulaski         1,356         336         25%         317         23%         262         18 </th <th></th> <th>_</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th>г</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th>		_							г									
Cowsley   188   32   17%   104   55%   42   22%   6   3%   3   2%   1   1%   0   0%																		
Pendleton         279         79         28%         59         21%         65         23%         23         8%         17         6%         36         13%         0         0%           Perry         2,291         214         9%         1,303         57%         319         14%         65         3%         107         5%         132         6%         151         7%           Pike         2,254         228         10%         1,318         58%         296         13%         44         2%         134         6%         234         10%         0         0%           Powell         864         179         21%         440         51%         170         20%         40         5%         35         4%         0         0%         0         0%           Pulaski         1,356         336         25%         317         23%         262         19%         108         8%         310         23%         23         2%         0         0%           Robertson         51         11         22%         13         25%         18         35%         3         6%         20         16%         28%									г			10.5				г		
Pike         2,254         228         10%         1,318         58%         296         13%         44         2%         134         6%         234         10%         0         0%           Powell         864         179         21%         440         51%         170         20%         40         5%         35         4%         0         0%         0         0%           Powell         1,356         336         25%         317         23%         262         19%         108         8%         310         23%         23         2%         0         0%           Robertson         51         11         22%         13         25%         18         35%         3         6%         2         4%         4         8%         0         0%           Rockcastle         658         128         19%         171         26%         250         38%         14         2%         79         12%         16         2%         0         0%           Rowan         1,120         178         16%         417         37%         175         16%         58         5%         206         18%         86																۰		
Powell         864         179         21%         440         51%         170         20%         40         5%         35         4%         0         0%         0         0%           Pulaski         1,356         336         25%         317         23%         262         19%         108         8%         310         23%         23         2%         0         0%           Robertson         51         11         22%         13         25%         18         35%         3         6%         2         4%         4         8%         0         0%           Rockcastle         658         128         19%         171         26%         250         38%         14         2%         79         12%         16         2%         0         0%           Rowan         1,120         178         16%         417         37%         175         16%         58         5%         206         18%         86         8%         0         0%           Russell         631         170         27%         183         29%         168         27%         50         8%         32         5%         28         <	Perry	2,291	214	9%	1,303	57%	319	14%	г	65	3%	107	5%	132	6%	г	151	7%
Pulaski         1,356         336         25%         317         23%         262         19%         108         8%         310         23%         23         2%         0         0%           Robertson         51         11         22%         13         25%         18         35%         3         6%         2         4%         4         8%         0         0%           Rockastle         658         128         19%         171         26%         250         38%         14         2%         79         12%         16         2%         0         0%           Rowan         1,120         178         16%         417         37%         175         16%         58         5%         206         18%         86         8%         0         0%           Russell         631         170         27%         183         29%         168         27%         50         8%         32         5%         28         4%         0         0%           Scott         1,223         171         14%         335         27%         412         34%         83         7%         147         12%         26	Pike	2,254	228	10%	1,318	58%	296	13%		44	2%	134	6%	234	10%		0	0%
Robertson         51         11         22%         13         25%         18         35%         3         6%         2         4%         4         8%         0         0%           Rockcastle         658         128         19%         171         26%         250         38%         14         2%         79         12%         16         2%         0         0%           Rowan         1,120         178         16%         417         37%         175         16%         58         5%         206         18%         86         8%         0         0%           Russell         631         170         27%         183         29%         168         27%         50         8%         32         5%         28         4%         0         0%           Scott         1,223         171         14%         335         27%         412         34%         83         7%         147         12%         75         6%         0         0%           Shelby         1,312         214         16%         300         23%         372         28%         159         12%         218         17         20	Powell		179	21%	440	51%	170	20%		40	5%	35	4%	0	0%		0	0%
Rockcastle         658         128         19%         171         26%         250         38%         14         2%         79         12%         16         2%         0         0%           Rowan         1,120         178         16%         417         37%         175         16%         58         5%         206         18%         86         8%         0         0%           Russell         631         170         27%         183         29%         168         27%         50         8%         32         5%         28         4%         0         0%           Scott         1,223         171         14%         335         27%         412         34%         83         7%         147         12%         75         6%         0         0%           Shelby         1,312         214         16%         300         23%         372         28%         159         12%         218         17%         49         4%         0         0%           Simpson         445         139         31%         93         21%         147         33%         35         8%         29         7%         2																		
Rowan         1,120         178         16%         417         37%         175         16%         58         5%         206         18%         86         8%         0         0%           Russell         631         170         27%         183         29%         168         27%         50         8%         32         5%         28         4%         0         0%           Scott         1,223         171         14%         335         27%         412         34%         83         7%         147         12%         75         6%         0         0%           Shelby         1,312         214         16%         300         23%         372         28%         159         12%         218         17%         49         4%         0         0%           Simpson         445         139         31%         93         21%         147         33%         35         8%         29         7%         20%         0         0%           Spencer         216         21         10%         61         28%         39         18%         14         6%         40         19%         41         19%									L							L		
Russell         631         170         27%         183         29%         168         27%         50         8%         32         5%         28         4%         0         0%           Scott         1,223         171         14%         335         27%         412         34%         83         7%         147         12%         75         6%         0         0%           Shelby         1,312         214         16%         300         23%         372         28%         159         12%         218         17%         49         4%         0         0%           Simpson         445         139         31%         93         21%         147         33%         35         8%         29         7%         2         0%         0         0%           Spencer         216         21         10%         61         28%         39         18%         14         6%         40         19%         41         19%         0         0%           Taylor         870         167         19%         295         34%         222         26%         35         4%         140         16%         11		_																
Scott         1,223         171         14%         335         27%         412         34%         83         7%         147         12%         75         6%         0         0%           Shelby         1,312         214         16%         300         23%         372         28%         159         12%         218         17%         49         4%         0         0%           Simpson         445         139         31%         93         21%         147         33%         35         8%         29         7%         2         0%         0         0%           Spencer         216         21         10%         61         28%         39         18%         14         6%         40         19%         41         19%         0         0%           Taylor         870         167         19%         295         34%         222         26%         35         4%         140         16%         11         1%         0         0%           Todd         116         59         51%         18         16%         17         15%         9         8%         10         9%         3         3% </th <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th>١.</th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th> <th></th>									١.									
Shelby         1,312         214         16%         300         23%         372         28%         159         12%         218         17%         49         4%         0         0%           Simpson         445         139         31%         93         21%         147         33%         35         8%         29         7%         2         0%         0         0%           Spencer         216         21         10%         61         28%         39         18%         14         6%         40         19%         41         19%         0         0%           Taylor         870         167         19%         295         34%         222         26%         35         4%         140         16%         11         1%         0         0%           Todd         116         59         51%         18         16%         17         15%         9         8%         10         9%         3         3%         0         0%           Tringg         440         82         19%         170         39%         136         31%         18         4%         25         6%         9         2%		_							г							r		
Simpson         445         139         31%         93         21%         147         33%         35         8%         29         7%         2         0%         0         0%           Spencer         216         21         10%         61         28%         39         18%         14         6%         40         19%         41         19%         0         0%           Taylor         870         167         19%         295         34%         222         26%         35         4%         140         16%         11         1%         0         0%           Todd         116         59         51%         18         16%         17         15%         9         8%         10         9%         3         3%         0         0%           Trigg         440         82         19%         170         39%         136         31%         18         4%         25         6%         9         2%         0         0%           Tringg         440         82         19%         56         23%         41         17%         35         14%         57         23%         2         1% <t< th=""><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th><th></th></t<>																		
Spencer         216         21         10%         61         28%         39         18%         14         6%         40         19%         41         19%         0         0%           Taylor         870         167         19%         295         34%         222         26%         35         4%         140         16%         11         1%         0         0%           Todd         116         59         51%         18         16%         17         15%         9         8%         10         9%         3         3%         0         0%           Trigg         440         82         19%         170         39%         136         31%         18         4%         25         6%         9         2%         0         0%           Trimble         243         52         21%         56         23%         41         17%         35         14%         57         23%         2         1%         0         0%           Union         604         107         18%         215         36%         155         26%         40         7%         57         9%         30         5%         <		_							г							г		
Todd         116         59         51%         18         16%         17         15%         9         8%         10         9%         3         3%         0         0%           Trigg         440         82         19%         170         39%         136         31%         18         4%         25         6%         9         2%         0         0%           Trimble         243         52         21%         56         23%         41         17%         35         14%         57         23%         2         1%         0         0%           Union         604         107         18%         215         36%         155         26%         40         7%         57         9%         30         5%         0         0%           Warren         3,044         762         25%         926         30%         664         22%         212         7%         366         12%         113         4%         1         0%           Washington         140         33         24%         51         36%         18         13%         1         1%         20         14%         17         12%	Spencer	216	21	10%	61	28%	39	18%		14	6%	40	19%	41	19%		0	0%
Trigg       440       82       19%       170       39%       136       31%       18       4%       25       6%       9       2%       0       0%         Trimble       243       52       21%       56       23%       41       17%       35       14%       57       23%       2       1%       0       0%         Union       604       107       18%       215       36%       155       26%       40       7%       57       9%       30       5%       0       0%         Warren       3,044       762       25%       926       30%       664       22%       212       7%       366       12%       113       4%       1       0%         Washington       140       33       24%       51       36%       18       13%       1       1%       20       14%       17       12%       0       0%         Wayne       749       127       17%       247       33%       151       20%       62       8%       25       3%       137       18%       0       0%         Webster       281       43       15%       110       39%	Taylor	870	167	19%	295	34%	222	26%		35	4%	140	16%	11	1%	ı	0	0%
Trimble         243         52         21%         56         23%         41         17%         35         14%         57         23%         2         1%         0         0%           Union         604         107         18%         215         36%         155         26%         40         7%         57         9%         30         5%         0         0%           Warren         3,044         762         25%         926         30%         664         22%         212         7%         366         12%         113         4%         1         0%           Washington         140         33         24%         51         36%         18         13%         1         1%         20         14%         17         12%         0         0%           Wayne         749         127         17%         247         33%         151         20%         62         8%         25         3%         137         18%         0         0%           Webster         281         43         15%         110         39%         84         30%         4         1%         19         7%         21         7%																		
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Wayne         749         127         17%         247         33%         151         20%         62         8%         25         3%         137         18%         0         0%           Webster         281         43         15%         110         39%         84         30%         4         1%         19         7%         21         7%         0         0%           Whitley         834         204         24%         127         15%         304         36%         138         17%         61         7%         0         0%         0         0%           Wolfe         487         90         18%         256         53%         105         22%         16         3%         16         3%         4         1%         0         0%           Woodford         405         61         15%         65         16%         112         28%         76         19%         34         8%         57         14%         0         0%		_				_												
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# RECOGNIZING THOSE ADVANCING THE RIGHT TO COUNSEL









The right to counsel stands above all other constitutional protections. "Of all the rights that an accused person has, the right to be represented by counsel is by far the most pervasive for it affects his ability to assert any other rights he may have." *U.S. v. Cronic*, 466 U.S. 648, 654 (1984). Public defenders statewide gathered June 16, 2015, to recognize individuals advancing the right to counsel and protections for persons facing a loss of liberty. Presentations were made during the 2015 Kentucky Public Defender Recognition Lunch in Lexington, Kentucky.



Back Row, from (L to R): Tom Griffiths, Furman Award for his capital advocacy; Leo Smith, Gideon Award, for his litigation advocacy; Harolyn Howard, In Re Gault Award, for her juvenile advocacy; Nathan Goodrich, the Professionalism and Excellence Award; Jason Riley, the Anthony Lewis Media Award. Front Row (L to R): Presenter of the P & E Award, KBA President-Elect Doug Farnsley; Sharon Johnson, Rosa Parks Award, for 13 years of professional office management; J. Michael Brown, Nelson Mandela Award, for safeguarding and advancing the professional independent representation of indigent defendants in Kentucky; Ed Monahan, Public Advocate; William Johnson, Public Advocate Award, for decades of advancing the right to counsel for all Kentucky defendants and devoted assistance to Kentucky public defenders; and Tammy Morgan, Rosa Parks Award, for the high level of case management service provided to public defender staff across Kentucky. (Not Pictured): KY Chamber of Commerce President Dave Adkisson, received a Public Advocate Award for steadfast support of reducing incarceration costs through common sense reform.



#### **Awards of Appreciation to Conflict Attorneys**

Back Row (L to R): Ed Monahan, Public Advocate; Eric Stovall, Western Region Manager; Chris McNeill, Paducah Directing Attorney; Rodney Barnes, Northern Region Manager; Leigh Jackson, Owensboro Directing Attorney; Jerry Cox, Chair of Public Advocacy Commission; Lisa Whisman, Stanton Directing Attorney; Dan Goyette, Jefferson Chief Public Defender; Roger Gibbs, Eastern Region Manager; Teresa Whitaker, Bluegrass Region Manager; Glenda Edwards, Trial Division Director. Front Row (L to R): Luke McCall – Western Region; Rawl Kazee – Northern Region; John Austin – Central Region; Johnathan Gay – Bluegrass Region; Ryan Vantrease – Jefferson County; Kevin Johnson – Eastern Region.

Minister of Justice Award for their pro bono appellate representation of Kentucky public defender clients before the Supreme Court of Kentucky and Kentucky Court of Appeals

William H. Fortune Jeffrey H. Hoover Kristin Logan Mischel Miles Cary Fred Rhynhart David Mejia Colin H Lindsay James Lee Adams Colleen Beach Benjamin Taylor Trevor W. Wells Pierre H. Bergeron Irvin Halbleib Jason Nemes Anna Whites Jennifer Hall Robert Salyer Christopher G - 14-M-00217 (WANTON ENDANGERMENT-ZND DEGREE)
Køvin M - 15-M-00199 (WANTON ENDANGERMENT-ZND DEGREE)
Famila G - 11-CR-00079 (PORDATION YOLLTION)
James P - 14-CR-00050 (FORGEN', ZND DEGREE)
Jennifer B - 15-M-00086 (THEF BY POECEPTION (COLD CHECKS) U/\$500)
Daniel M - 15-M-00086 (THEF BY POECEPTION (COLD CHECKS) U/\$500)
Daniel M - 15-M-00086 (THEF BY POECEPTION (COLD CHECKS) U/\$500)
Daniel M - 15-M-00081 (ASSAULT 3RD DEGREE)
RIChard D - 15-CR-00033 (TRAFFICKING, 15T DEGREE, 1ST OFFENSE)
Carlos H - 08-J-00049 (CONTEMPT OF COURT (CHILD SUPPORT))
BIRZIADOR D - 15-CR-00033 (TRAFFICKING, 1ST DEGREE, 1ST OFFENSE)
Carlos H - 08-J-00049 (CONTEMPT OF COURT (CHILD SUPPORT))
BIRZIADOR D - 15-CR-00030 (RECEIVING STOLLATION)
BRINDARD D - 15-CR-00030 (RECEIVING STOLLATION)
BROWN T - 14-F-00040 (CONTEMPT OF COURT (CHILD SUPPORT))
CORDEN T - 14-F-00040 (CONTEMPT OF COURT (CHILD SUPPORT))
CASyla S - 14-T-00400 (CONTEMPT OF COURT (CHILD SUPPORT))
CASyla S - 14-T-00400 (CONTEMPT OF COURT)
Tobby R - 15-F-00020 (WANTON ENDANGERMENT-1ST DEGREE,
Daniel B - 15-T-00409 (CONTEMPT OF COURT)
Tobby R - 15-F-00020 (WANTON ENDANGERMENT-1ST DEGREE)
Daniel B - 15-T-00040 (FORLAUE TO NOTIFY ADDRESS CHANGE TO DEPT OF TRANSP)
Buld M - 15-CR-00016 (FRAUDULENT USE OF CREDIT CARD U/\$10,000)
Doug R - 14-M-0036 (NOURANCE ON DEAR STOLLATION ON DEPT OF TRANSP)
Buld M - 15-CR-00016 (FRAUDULENT USE OF CREDIT CARD U/\$10,000)
Doug R - 14-F-00060 (UNILAWFUL TRANSACTION WIMINOR 1ST DEGREE)
Cecilie S - 14-F-00060 (UNILAWFUL TRANSACTION WIMINOR 1ST DEGREE)
Cecilie S - 14-F-00060 (UNILAWFUL TRANSACTION WIMINOR 1ST DEGREE)
Cecilie S - 14-F-00060 (PORTANGE ON SUSPENDED/REVOKED OPERATORS LICENSE)
Margaret T - 15-M-00025 (TRAFFICKING SYTHETIC DRUGS 1ST OFFENSE)

Linda P - 15-T-00013 (DEFRATING ON SUSPENDED/REVOKED OPERATORS LICENSE)
Margaret T - 15-M-00026 (PROBATION VIOLATION)
Amber M - 14-M-00226 (TRAFFICKING SY Donna R - 13-M-00017 (CONTEMPT OF COURT)
Ivory M - 15-T-00121 (DRIVING DUI SUSPENDED LICENSE-2ND OFFENSE)
Crystal R - 14-M-00188 (ASSAULT 4TH DEGREE)
Jared P - 14-T-00677 (DUI, 2nd Offense)
IVII H - 14-R-0063 (PROBATION VIOLATION)
Jonathan S - 14-CR-00149 (FORGERY, 2ND DEGREE)
LISIA L - 14-CR-00134 (FIHEF BY DECEPTION (COLD CHECKS) U/\$10,000) Jonathan S - 14-CR-00149 (FORGERY, 2ND DEGREE)
Lisa L - 14-CR-00144 (HERT BY DECEPTION (COLD CHECKS) U/\$10,000)
David S - 15-M-00046 (ASSAULT 4TH DEGREE)
Erica F - 14-CR-0021-0002 (HERFICKING, 15T DEGREE, 1ST OFFENSE)
Logan Y - 15-M-00061 (RESISTING ARREST)
Richard W - 14-CR-00122 (WANTON ENDANGERMENT-1ST DEGREE)
Jennifer B - 14-M-00197 (DUI, 1st Offense (With Aggravatori)
D. - - 15-J0045-001 (RUNANTON ENDANGERMENT-1ST DEGREE)
Jennifer B - 14-M-00197 (DUI, 1st Offense (With Aggravatori)
Danielle S - 15-M-00102 (PUBLIC INTOXICATION)
Joseph F - 14-M-00085 (THEFT BY DECEPTION (COLD CHECKS) U/\$500)
James B - 14-T-00135 (OPERATING ON SUSPENDED/REVOKED OPERATORS LICENSE)
Raymond T - 15-F-00022 (FOSS CONT SUB, 1ST DEGREE, 1ST OFFENSE HEROIN)
Ashiey C - 13-CR-00013 (PORBATION VIOLATION)
Jack R - 15-CR-00019 (CONVICTED FELON IN POSSESSION OF A HANDGUN)
Michelle W - 15-M-00091 (HARBORING A VICUS ANIMAL)
Cecil C - 11-M-00081 (CONTEMPT OF COURT)
JOH H - 14-T-00371 (NO INSURANCE, 1ST OFFENSE)
Shella L - 15-CR-00036 (POSS CONT SUB, 1ST DEGREE, 1ST OFFENSE - DRUG UNSPECIFIED)
Patrick B - 13-M-00200 (PROBATION VIOLATION)
VAISHIE R - 13-M-00200 (PROBATION VIOLATION)
Shella L - 15-CR-00036 (POSS CONT SUB, 1ST DEGREE, 1ST OFFENSE)
Sectory S - 13-M-00202 (PROBATION VIOLATION)
Respectively S - 13-M-00202 (PROBATION SULPERING)
SECRET S OFFENSE)
Sectory S - 13-M-00202 (CONTEMPT OF COURT)
Henry K - 15-CR-00003 (POSBATION SULPERING)
SULPHIA HENRY S - 15-CR-00006 (CONTEMPT OF COURT)
Henry K - 15-T-00203 (POSBATION SUSPENDED/REVOKED OPERATORS LICENSE) COLLEGE AND ADDRESS COST DESIGNATION CONTROLLED AND CONTROLLED AND

### TRIAL OFFICE LEADERS



Linda West Bell County 606-337-8357



Stephen Florian Boone County 859-282-0818



Renae Tuck Bowling Green 270-846-2731



Brian Hewlett Boyd County 606-739-4161



Jennifer Wittmeyer Bullitt County 502-955-8594



Sandra Downs Capital Trials East 859-246-2333



Joanne Lynch Capital Trials West 502-222-2662



Shanda West-Stiles Columbia 270-384-1297



John Delaney Covington 859-292-6596



Jennifer Fransen Cynthiana 859-234-4535



Susanne McCollough Danville 859-239-7070



Susie Hurst Elizabethtown 270-766-5160



Casey Holland Frankfort 502-564-7204



Greg Berry Glasgow 270-834-8236



Laura Karem Harlan 606-573-2501



Will Collins Hazard 606-439-4509



Tina McFarland Henderson 270-826-1852



Brandi Jones Hopkinsville 270-889-6527



Dan Goyette Jefferson County 502-574-3800



Liz Curtin LaGrange 502-222-7712



Rodney Barnes Lexington 502-564-7204



Christopher Tracy Lexington North 859-258-2377



Shannon Brooks-English Lexington South 859-246-2906



Deaidra Douglas London 606-330-2050



Eric Stovall Madisonville 270-824-7001



Sarah Fightmaster Maysville 606-564-5768



Jay Barrett Morehead 606-783-8600



Cheri Riedel Murray 270-753-4633



Eva Hager Newport 859-261-0192



Amanda Bear Nicholasville 859-881-4460



Leigh Jackson Owensboro 270-687-7030



Chris McNeill Paducah 270-575-7285



Traci Hancock Pikeville 606-433-7576



Steve Goble Prestonsburg 606-886-1101



Valetta Browne Richmond 859-623-8413



Teresa Whitaker Somerset 606-677-4129



Lisa Whisman Stanton 606-663-2844

#### DEPARTMENT OF PUBLIC ADVOCACY



